

The Honorable Richard Jones

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

STATE OF WASHINGTON, et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
STATE, et al.,

Defendants.

No. 2:20-cv-0111-RAJ

**DECLARATION OF ERIC  
SOSKIN IN SUPPORT OF  
MOTION TO FILE OVER-  
LENGTH BRIEF**

**NOTED FOR: FEB. 18, 2020**

I, Eric Soskin, declare as follows:

1. I have personal knowledge of all of the facts stated below, and I am over the age of 18 years old.
2. I am an attorney with the United States Department of Justice, Civil Division, Federal Programs Branch, Washington, D.C. I have the title of Senior Trial Counsel, and I am the counsel of record for the Defendants in this matter.
3. Prior to filing the motion to file over-length brief to which this declaration is attached, I reached out on February 17, 2020, to Assistant Attorney General Kristin Beneski, counsel for the State of Washington, one of the counsel of record for Plaintiffs in this action. On that day, by email, I requested that we schedule a meet-and-confer by telephone to discuss

Defendants' request for an enlargement of the page limits for Defendants' opposition.

4. Plaintiffs' counsel accommodated my scheduling request, and on February 18, 2020, Assistant Attorney General Beneski and I met and conferred via telephone. We discussed the substantive grounds for the motion and whether there is any potential way of reaching agreement on an extension of the page limits for Defendants' brief. Our discussion included the possibility of Defendants providing advance agreement to an extension of the page limits for a reply brief which Plaintiffs anticipate filing on February 28, 2020.
5. We were unable to reach any accord during the telephone call, but Assistant Attorney General Beneski and I agreed that Defendants would provide a specific proposal stating the length of a corresponding extension for Plaintiffs, taking into account that, at this point, Defendants do not yet know the exact length of the final brief they will file.
6. Given the time sensitivity of this motion, which must be filed as early as possible under the Local Rules, and not later than three days in advance of the February 24, 2020 date on which Defendants' brief is due, I promptly provided a specific proposal. That proposal noted that Local Rule 7(f)(4) provides additional pages for Plaintiffs' reply brief "automatically," up to "one-half the total length of the brief filed in opposition." In an effort to reach agreement with Plaintiffs, I represented that Defendants would consent to a modest additional extension of 1-2 pages—beyond the "automatic[]" extension in the Local Rules, depending on the final length of Defendants' brief.
7. On behalf of Plaintiffs, Assistant Attorney General Beneski cordially responded, but stated that Plaintiffs are unable to consent to the request.

I declare under penalty of perjury that the foregoing is a true and correct statement.

Feb. 18, 2020  
(DATED)

/s/ Eric J. Soskin  
Eric J. Soskin